



4 The livestock blow dryer of claim 1, wherein the blower housing has a cylindrical shape having the air inlet opening at a first end and the air outlet opening at a second end, and wherein the filter cartridge has a circular shape having approximately the same diameter as the cylindrical blower housing.

5. (Amended) The livestock blow dryer of claim [4] 1, wherein the filter cartridge is inserted through the top surface of the blower housing and into the filter holding section at a direction perpendicular to an axial direction of the cylindrical blower housing.

6. The livestock blow dryer of claim 5, wherein the filter holding section comprises a slot in an inlet cap member.

7. The livestock blow dryer of claim 1, wherein the air outlet opening of the blower housing includes a nozzle having a conical shape, the nozzle having a hose attaching section.

8. (Amended) A livestock blow dryer, comprising:

a blower housing having an air inlet opening and an air outlet opening;
at least one blower motor within the blower housing for blowing air through the blower housing, the at least one blower motor having a capacity for blow drying livestock; and
a nozzle adapted to cover the air outlet opening, the nozzle having a wide end and a narrow end, the wide end attached to the blower housing and having a diameter approximately the same as a diameter of the blower housing, the narrow end pointing away from the blower housing.

9. The livestock blow dryer of claim 8, wherein the narrow end of the nozzle has an attaching section for attaching a hose to the nozzle.

10. The livestock blow dryer of claim 8, wherein the blower housing has a substantially cylindrical shape.

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11. The livestock blow dryer of claim 8, wherein the nozzle has a substantially frusto-conical shape.
12. The livestock blow dryer of claim 11, wherein the nozzle has an approximately 95 degree internal angle.
13. The livestock blow dryer of claim 8, further comprising a heating element mounted within the blower housing, and a plurality of W-shaped legs.
14. The livestock blow dryer of claim 8, further comprising:
a handle attached to the blower housing for carrying the livestock blow dryer,
a plurality of legs for setting the livestock blow dryer on a surface; and
wherein the narrow end of the nozzle has an attaching section for attaching a hose to the nozzle, and the frusto-conical shape has an approximately 95 degree internal angle.
15. The livestock blow dryer of claim 14, further comprising a filter holding section, and an air filter cartridge adapted to be inserted into the filter holding section.
16. (Amended) A livestock blow dryer, comprising:
a cylindrical blower housing having an inlet opening and an outlet opening;
at least one blower motor for blowing air through the outlet opening;
a conically shaped nozzle attached to the outlet opening for permitting air flow out of the blower housing;
a filter holding section proximate to the inlet opening; and
a filter cartridge removably mounted within the filter holding section through a top surface of the blower housing, the filter cartridge for filtering air coming into the inlet opening.
17. The livestock blow dryer of claim 16, wherein the filter cartridge comprises:
a circular, outer perimeter section having a tab for removing the filter cartridge from the filter holding section; and
a filter section within the outer perimeter section.

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18. The livestock blow dryer of claim 17, wherein the filter cartridge has approximately the same diameter as the blower housing.

19. The livestock blow dryer of claim 18, further comprising an inlet cap member having an opening permitting passage of air, the inlet cap member includes a screen covering the opening, and wherein the filter holding section comprises a slot in the inlet cap member.

20. The livestock blow dryer of claim 19, further comprising
a heating element mounted within the blower housing for heating the air;
a plurality of legs attached to the blower housing for setting the livestock blow dryer on a surface; and
wherein the nozzle includes an attaching section for attaching a hose to the nozzle.

Please add new claims 24-36:

²¹ 24. (New) A livestock blow dryer, comprising:
a blower housing having an air inlet opening and an air outlet opening, the blower housing having a slot near the air inlet opening;
at least one blower motor within the blower housing, the at least one blower motor having a capacity for blow drying livestock; and
an air filter cartridge adapted to be removably mounted within the slot, wherein the slot is located so that the filter cartridge is inserted into the slot at a direction perpendicular to an axial direction of the blower housing.

²² 25. (New) The livestock blow dryer of claim ²¹24, wherein the blower housing has a cylindrical shape having the air inlet opening at a first end and the air outlet opening at a second end.

²³ 26. (New) The livestock blow dryer of claim ²²25, wherein the filter cartridge has a circular shape having approximately the same diameter as the cylindrical blower housing.

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27. (New) A livestock blow dryer, comprising:

a blower housing having an air inlet opening and an air outlet opening, the blower housing having a filter holding section which includes a slot in an inlet cap member near the air inlet opening, wherein the blower housing has a cylindrical shape having the air inlet opening at a first end and the air outlet opening at a second end;

at least one blower motor within the blower housing, the at least one blower motor having a capacity for blow drying livestock; and

an air filter cartridge adapted to be removably mounted within the filter holding section, the filter cartridge having a circular shape having approximately the same diameter as the cylindrical blower housing, wherein the filter cartridge is inserted into the filter holding section at a direction perpendicular to an axial direction of the cylindrical blower housing.

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28. (New) The livestock blow dryer of claim ²⁷27, wherein the filter cartridge comprises:
a perimeter section; and
a filter section within the perimeter section.

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29. (New) The livestock blow dryer of claim ²⁸28, wherein the filter cartridge further comprises a tab attached to the perimeter section for removing the filter cartridge from the filter holding section.

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30. (New) The livestock blow dryer of claim ²⁷27, wherein the air outlet opening of the blower housing includes a nozzle having a conical shape, the nozzle having a hose attaching section.

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31. (New) The livestock blow dryer of claim ³⁰30, wherein the nozzle has a substantially frusto-conical shape.

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32. (New) The livestock blow dryer of claim ³¹31, wherein the nozzle has an approximately 95 degree internal angle.

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33. (New) The livestock blow dryer of claim ²⁷27, wherein the filter cartridge includes a tab for removing the filter cartridge from the livestock blow dryer, a plurality of ribs attached to an

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outer perimeter section of the filter cartridge, and a filter section molded to the outer perimeter section and molded to the ribs.

34. (New) The filter cartridge of claim 33, wherein the outer perimeter section of the filter cartridge includes a pair of notches for supporting the filter cartridge when the filter cartridge is mounted within the livestock blow dryer.

35. (New) A livestock blow dryer, comprising:
a cylindrical blower housing having an inlet opening and an outlet opening;
at least one blower motor for blowing air through the outlet opening;
a conically shaped nozzle attached to the outlet opening for permitting air flow out of the blower housing;
a filter holding section proximate to the inlet opening;
a filter cartridge removably mounted within the filter holding section, the filter cartridge for filtering air coming into the inlet opening, wherein the filter cartridge includes a circular, outer perimeter section having a tab for removing the filter cartridge from the filter holding section and a filter section within the outer perimeter section, and wherein the filter cartridge has approximately the same diameter as the blower housing; and
an inlet cap member having an opening permitting passage of air, the inlet cap member includes a screen covering the opening, and wherein the filter holding section comprises a slot in the inlet cap member.

36. (New) The livestock blow dryer of claim 35, further comprising
a heating element mounted within the blower housing for heating the air;
a plurality of legs attached to the blower housing for setting the livestock blow dryer on a surface; and
wherein the nozzle includes an attaching section for attaching a hose to the nozzle.

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on January 17, 2001, and the references cited therewith.

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Claims 1, 5, 8, and 16 are amended, claims 21-23 are canceled, and claims 24-36 are added; as a result, claims 1-20 and 24-36 are now pending in this application.

§102 Rejection of the Claims

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Davis, Jr., et al. (U.S. Patent No. 4,977,690).

Applicant has amended claim 1 to better describe the subject matter of the claim. Applicant submits that amended claim 1 is not anticipated by Davis since Davis does not include each limitation of claim 1. For instance, Applicant cannot find in Davis a dryer which includes a blower housing having an air inlet opening and an air outlet opening, the blower housing having a filter holding section near the air inlet opening and an air filter cartridge adapted to be removably mounted "within the filter holding section through a top surface of the blower housing," as recited in claim 1. In Davis, the filter 24 is apparently pushed through opening 20 to mount the filter. Among other disadvantages, this does not provide the protected, yet easily removable, filter of the present claimed invention.

Claim 2 includes all the limitations of parent claim 1 and is therefore allowable as discussed above for claim 1.

§103 Rejection of the Claims

Davis, Jr., et al.

Claims 3, 7-9, 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis, Jr., et al. (U.S. Patent No. 4,977,690).

Claim 3

Claim 3 includes all the limitations of amended parent claim 1 and is therefore allowable as discussed above for claim 1.

Moreover, to support a finding of obviousness, the reference must teach or suggest all the claim elements and there must be some suggestion to modify the reference. M.P.E.P. § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). Applicant cannot find in Davis any suggestion or need for a "tab" as recited in claim 3.

Accordingly, Applicant respectfully traverses the single reference rejection under 35 U.S.C. § 103 since not all of the recited elements of the claims are found in Davis. Since all the

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elements of the claim are not found in the reference, Applicant assumes that the Examiner is taking official notice of the missing elements. Applicant respectfully objects to the taking of Official Notice and, pursuant to M.P.E.P. § 2144.03, Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite patents and references in support of this position.

Claim 7

Claim 7 includes all the limitations of amended parent claim 1 and is therefore allowable as discussed above for claim 1.

Claims 8, 9, 11, and 12

Applicant has amended claim 8 to better describe the recited subject matter of the claim. Applicant submits that claim 8 is patentable over Davis since Davis does not teach or suggest all the claim elements and there is not any suggestion to modify the reference. For instance, Applicant cannot find in Davis a blow dryer which includes a blower housing having an air inlet opening and an air outlet opening and a nozzle adapted to cover the air outlet opening, the nozzle having a wide end attached to the blower housing and having a diameter "approximately the same as a diameter of the blower housing," as recited in claim 8.

Claims 9, 11, and 12 include all the limitations of amended parent claim 8 and are therefore allowable as discussed above for claim 8.

None of the cited references include a nozzle structure as recited in the present claims. On page 6 lines 15-24 of the present application, Applicant has pointed to some advantages of the nozzle structure of the present claimed invention, including higher efficiency and better airflow. These unmet needs in the art are not mentioned or suggested by any of the cited references, and accordingly, the Examiner has not developed a case of *prima facie* obviousness.

Accordingly, Applicant traverses the assertion on Page 3 of the Office Action that to "form the nozzle into a conical shape would have been obvious to one skilled in the art as an alternate design choice." Applicant submits that the Examiner is taking official notice of missing elements of claims 8, 9, 11, and 12. Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite patents and references in support of this position pursuant to M.P.E.P. § 2144.03.

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Davis, Jr., et al. in view of Stevens

Claims 4-5, 10 and 14-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis, Jr., et al. (U.S. Patent No. 4,977,690) in view of Stevens (U.S. Patent No. D132, 815).

Claims 4-5

Claims 4 and 5 include all the limitations of amended parent claim 1 and are therefore allowable as discussed above for claim 1.

Moreover, regarding claim 5, Applicant requests that the Examiner clarify how “the filter of Davis, Jr. is inserted at a perpendicular direction when combined with the longitudinal housing of Stevens,” as asserted on page 4 of the Office Action. Applicant cannot find in either reference any suggestion or structure for inserting a filter at a perpendicular direction of the housing.

Claims 10, 14-15

Claims 10, and 14-15 include all the limitations of amended parent claim 8 and are therefore allowable as discussed above for claim 8.

Moreover, regarding claim 14, none of the cited references include a nozzle structure as recited in the claim. As discussed above, on page 6 lines 15-24 of the present application, Applicant has pointed to some advantages of the nozzle structure of the present claimed invention, including higher efficiency and better airflow. These unmet needs in the art are not mentioned or suggested by any of the cited references, and accordingly, the Examiner has not developed a case of *prima facie* obviousness.

Accordingly, Applicant submits that the Examiner is taking official notice of missing elements of claim 14. Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite patents and references in support of this position pursuant to M.P.E.P. § 2144.03.

Regarding claim 15, Applicant again requests that the Examiner clarify how “the filter of Davis, Jr. is inserted at a perpendicular direction when combined with the longitudinal housing of Stevens,” as asserted on page 4 of the Office Action. Applicant cannot find in either reference any suggestion or structure for inserting a filter at a perpendicular direction of the housing.

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Claims 16-18

Applicant has amended claim 16 to better describe the subject matter of the claim. Applicant submits that amended claim 16 is not obvious over Davis, Jr., et al. in view of Stevens since the combination does not include or suggest each limitation of claim 16. For instance, Applicant cannot find in either reference a dryer which includes a cylindrical blower housing having an inlet opening and an outlet opening, a conically shaped nozzle attached to the outlet opening, a filter holding section proximate to the inlet opening, and a filter cartridge removably mounted within the filter holding section "through a top surface of the blower housing," as recited in claim 16.

Claims 17 and 18 include all the limitations of parent claim 16 and are therefore allowable as discussed above for claim 16.

Davis, Jr., et al. in view of Stevens and further in view of Owen

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis, Jr., et al. (U.S. Patent No. 4,977,690) in view of Stevens (U.S. Patent No. D132, 815) and further in view of Owen (U.S. Patent No. D 43,011).

Claim 13 includes all the limitations of amended parent claim 8 and is therefore allowable as discussed above for claim 8.

Gates in view of Davis, Jr., et al.

Claims 21-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gates (U.S. Patent No. 5,776,316) in view of Davis, Jr., et al. (U.S. Patent No. 4,977,690). Applicant has cancelled claims 21-23 without prejudice or disclaimer.

Allowable Subject Matter

Claims 6, 19 and 20 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten original claim 6 as new independent claim 27, with new claims 28-34 dependent therefrom. Claims 19 and 20 have been rewritten as new claims 35 and 36 respectively.

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